

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15349 of 2019

Arising Out of PS. Case No.-608 Year-2017 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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LAXMI RAI Son of Lalji Rai Resident of Village- Sijauliya, P.S.- Phulparas,
District- Madhubani.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR AND ANR Bihar
2. Mamta Devi Wife of Laxmi Rai, D/o Medi Rai Resident of Village-
Suggapatti, P.S.- Phulparas, District- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 23-07-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
C.R.Case No.608 of 2017 corresponding to T.R.No.4108 of 2018
, registered for offences punishable under Sections 147, 148,
149, 323, 380, 379, 498(A), 494, 384, 385/504 of the Indian
Penal Code and Section 3/4 of the D.P. Act..

Allegation against the petitioner is of subjecting his wife
to cruelty and solemnizing second marriage also.

Submission of the learned counsel for the petitioner is
that as a matter of fact the allegation is false and concocted
and further as per direction he has tried to bring her back but



there is flood so he could not do the same . On the learned hand learned counsel for the O.P.Ino.2 has opposed the prayer on the ground that the petitioner has never come to her house and furthermore O.P.no.2 is residing in her *Maike* and she has not been paid any single penny by the petitioner.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the learned court below by 5.8.2019 and he is ready to pay Rs.3,000/- per month to O.P.no for her maintenance for a period of one year, he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Jhanjharpur, Madhubani in connection with C.R.Case No.608 of 2017 corresponding to T.R.No.4108 of 2018 subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

It is expected that during that period, O.P.no.2 shall move before the Family Court for grant of maintenance and the petitioner shall co-operate in disposal of the same and he will abide by any final/interim order passed by the learned Family



Court.

With the above direction, this application is disposed
of.

(Vinod Kumar Sinha, J)

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